REMARKS

Claims 1-24 are pending in the above-identified application. Claims 1-24 were rejected. With this Amendment, claims 1, 13, 14, 19-22 and 24 were amended, and claims 4 and 15 were cancelled. Accordingly, claims 1-3, 5-14, and 16-24 are at issue.

I.   35 U.S.C. § 101 Non-Statutory Subject Matter Rejection of Claims

Claims 14-21 and 24 were rejected under 35 U.S.C. § 101. In response, Applicants have amended claims 13, 14, 19-21 and 24, as recommended by the Examiner. Applicants respectfully submit that the amendment to claim 13 obviates the rejection with respect to claims 16-18. Claim 15 has been cancelled. Accordingly, Applicants respectfully request withdrawal of this rejection.

II.   Rejection of Claims

Claims 1-24 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-40 of co-pending Application No. 09/944,192. Claims 1-24 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-28 of co-pending Application No. 09/943,893. Claims 1-24 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-29 of co-pending Application No. 09/943,858. Claims 1-24 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-30 of co-pending Application No. 09/943,683. Applicants respectfully defer the submittal of a terminal disclaimer until the final scope of the claims is determined.

III.   35 U.S.C. § 102 Anticipation Rejection of Claims

Claims 1-24 were rejected under 35 U.S.C. § 102(e) as being anticipated by Dulude, et al. (U.S. Patent No. 6,310,966). Applicants respectfully traverse this rejection.

Claim 1, as amended, is directed to a person authentication system for executing personal authentication by comparing templates with sampling information input by a user. The templates are personal identification data acquired beforehand and encrypted with a public key. The person authentication system comprises a personal identification certificate authority and an entity. The personal identification certificate authority generates and issues a person identification certificate having data items in accordance with a predetermined format and storing template information including the templates. The entity acquires the person identification certificate and executes a person authentication process on the basis of the templates of the acquired person identification certificate.

Dulude et al. is directed to the field of secure communications, and in particular to the issuance and management of certificates for authenticating messages. (See col. 1, lines 12-15.) In Dulude et al., biometric certificates are generated by processing the registration biometric data from the registration biometric input device 26, processing the user input data such as a user ID from the user data input device 28, and processing the public key 30 of the user at a biometric certificate generator 32 of a registration authority 34. (See col. 4, lines 55-61.) Such input data are processed with the private key 36 of a certifying authority to generate a digital biometric certificate 38, which is sent to the memory for storage and subsequent use to authenticate the first user and associated electronic transactions of the first user. (See col. 4, lines 61-65.) The public key 70 of the certifying authority is used to decrypt the biometric certificate 68 to extract

the user public key 74. (See col. 6, lines 59-65.) Dulude et al. does not disclose or suggest template information encrypted using a public key of said personal identification certificate authority as required by claim 1. Accordingly, claim 1 is allowable over Dulude, et al. For similar reasons, claims 2-3, and 5-12, which depend from claim 1, and claims 13-14 and 16-24 are also allowable over Dulude et al. Accordingly, Applicants respectfully request withdrawal of this rejection.

IV. Conclusion

In view of the above amendments and remarks, Applicants submit that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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